

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
FILED IN THE  
U.S. DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON

Sep 22, 2020

SEAN F. MCAVOY, CLERK

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON

DAVID GERALDS, an individual,

Plaintiff,

v.

DOUGLAS JOHNSON; STEPHEN  
PURTELL; TOWN OF TWISP;  
TOWN OF WINTHROP AND DOES  
I-X,

Defendants.

NO: 2:20-CV-208-SAB

NOTICE SETTING TELEPHONIC  
SCHEDULING CONFERENCE

A. **Telephonic Scheduling Conference**

PLEASE TAKE NOTICE that a telephonic scheduling conference will be held on the date and time noted below. Counsel and pro se parties shall use the following information to participate in the hearing:

**DATE: OCTOBER 16, 2020 at 11:00 a.m.  
PHONE NUMBER: 1-888-636-3807  
ACCESS CODE: 8839796#  
SECURITY CODE: None required**

Speaker phones are not compatible with the Court's sound system and may not be used. Please listen carefully and follow the automated instructions so that you will be added to the conference in a timely manner.

1       B.     The provisions of Fed. R. Civ. P. 26 apply. The parties shall confer at  
2 least **fourteen (14) days** in advance of the scheduling conference and shall be  
3 prepared to discuss at the scheduling conference the following issues:

- 4           1.     Whether service is complete and, if not, the expected date of  
5 completion;
- 6           2.     Whether jurisdiction, venue, and standing are proper;
- 7           3.     Whether the parties consent for this matter to be tried before a  
8 magistrate judge;
- 9           4.     The nature and basis of their claims (brief summary);
- 10          5.     A preferred trial date and estimated length of trial;
- 11          6.     Anticipated motions;
- 12          7.     Arrangement for the disclosures required under Fed. R. Civ. P.  
13              26(a)(1);
- 14          8.     A proposed Discovery Plan as discussed in Fed. R. Civ. P. 26(f).  
15     This plan shall include the disclosures required under Rule 26(a)(1)  
16     and shall also include a time and platform agreed upon for the exchange  
17     of e-discovery, if any;
- 18          9.     Whether class certification is alleged. The parties shall include a  
19              suggested cut-off date as outlined in Local Rule 23.1;
- 20          10.    Whether the case involves a beneficial interest claim of a minor  
21              or incompetent that requires appointment of a Guardian ad litem;

11. The appropriateness of special procedures such as consolidation of actions for discovery or pretrial, reference to a master or magistrate, to arbitration, to the Judicial Panel on Multi-district Litigation, or application of the procedures included in the Manual for Complex Litigation;
12. Modification of the standard procedures due to the relative simplicity or complexity of the action or proceeding;
13. Feasibility of bifurcation, or otherwise structuring sequence of the trial;
14. Whether there will be a point in the litigation when the parties can conduct meaningful settlement discussions or participation in another form of alternative dispute resolution;
15. Identification of any issues that should be certified to the state Supreme Court; and
16. Any other matters which may be conducive to the just, efficient, and economical determination of the action or proceeding, including the definition or limitation of issues.

C. On or before **October 9, 2020**, the parties shall file the following:

1. **Consent Form:** The parties shall complete the attached [Consent Form](#) and return it to the Clerk of the Court, as instructed, advising whether the parties consent to this case being tried by a United States Magistrate Judge. See 28 U.S.C. § 636 as amended;

1           **2. Statement Identifying Corporate Information:** Any non-  
2 governmental corporate party to this action shall file a statement identifying  
3 all its parent corporations and listing any publicly held company that owns  
4 10% or more of the party's stock. Counsel have an ongoing responsibility to  
5 supplement this information;

6           **3. Joint Status Report (Fed. R. Civ. P. 26(f)):** The parties shall  
7 file a Joint Status Report (or separate reports if necessary), reflecting the  
8 results of their conference and the parties' position with respect to **each**  
9 **subject outlined in section B** of this Notice.

10          4. The following deadline dates will be outlined in an Order after  
11 the status conference. Be prepared to discuss these deadlines if there are any  
12 changes.

Simultaneous expert disclosures	230 days before trial
Rebuttal expert disclosures	200 days before trial
Motion to Amend/Add Parties	210 days before trial
Daubert motions	192 days before trial
Discovery cutoff	140 days before trial
Dispositive motions	132 days before trial
Hearing Request re deposition designations	42 days before trial
Cross designations	28 days before trial
Objections to designations	21 days before trial
Exhibit/Witness lists	35 days before trial
Objections Exhibit/Witness lists	28 days before trial
Response to Exhibit/Witness objections	21 days before trial
Motions in Limine	42 days before trial

1	Response to Motions in Limine	36 days before trial
2	Replies to Motions in Limine	28 days before trial
3	Pretrial Order	21 days before trial
4	Trial Briefs, voir dire	25 days before trial
5	Jury Instructions (Agreed/Disputed)	25 days before trial
6	Memo object to disputed Jury Instructions	25 days before trial
7	Pretrial Conference/Motion in Limine Hrg	14 days before trial

7 Counsel are expected to comply with the spirit of Rule 26 and seek to  
8 minimize the time and expense of discovery.

9 **DATED** September 22, 2020.

10 SEAN F. McAVOY  
11 DISTRICT COURT CLERK

12 s/Michelle M. Fox  
13 MICHELLE M. FOX  
Deputy Clerk